

California Department of Aging

Amend Section 7127 to read:

§ 7127. Greatest Social Need.

- (a) “Greatest social need” means the need caused by noneconomic factors which include any of the following:
  - (1) Physical and mental disabilities.
  - (2) Language barriers.
  - (3) Cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, sexual orientation, gender identity, or gender expression that does either of the following:
    - (A) Restricts the ability of an individual to perform normal daily tasks.
    - (B) Threatens the capacity of an individual to live independently.

Authority cited: Section 9102 and 9105, Welfare and Institutions Code.

References: Section 9015, Welfare and Institutions Code; 42 U.S.C. 3002(204)

## California Department of Aging Explanatory Statement

The California Department of Aging (CDA) proposes to change without regulatory effect California Code of Regulations, Title 22, Division 1.8, Section 7127, which was initially adopted in 1996. The current regulation defines “greatest social need” as a need caused by noneconomic factors that include physical and mental disabilities, language barriers, cultural or social isolation, including that caused by racial and ethnic status (for example Black, Hispanic, American Indian, and Asian American), that restrict an individual’s ability to perform normal daily tasks or that threaten his or her capacity to live independently.

This regulation was superseded by a statutory change to Section 9015 of the Welfare and Institutions Code that was approved on August 24, 2018. The proposed change to the regulation will make it consistent with the California statute by including in the definition cultural or social isolation caused by sexual orientation, gender identity, or gender expression.

The proposed amendment to this regulation does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element, it merely expands the definition of “greatest social need” when considering allocation of state and federal funds to programs for older individuals to include the important issues facing the Lesbian, Gay, Bisexual and Transgender (LGBT) community in accessing needed services and support as they age.